



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: MERRIMAN, Dwight A. et al.

Appl'n No.: 10/798,342

Filing Date: 12 March 2004

For: METHOD OF DELIVERY, TARGETING,
AND MEASURING ADVERTISING
OVER NETWORKS

Group Art Unit: 3627

Examiner: Laneau, Ronald

MS Amendment

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97 & § 1.98**

Under the provisions of 37 C.F.R. § 1.97(b)(1), and in accordance with the Applicants' duty of disclosure under 37 C.F.R. § 1.56, Applicants would like to call to the Office's attention the references listed on the attached substitute form PTO-1449 and the information provided below.

Applicants note that since all of the listed references and below-referenced items were cited by or to the Office in an earlier application relied on for an earlier effective filing date under 35 U.S.C. § 120 (see CROSS-REFERENCE TO RELATED APPLICATIONS section of the specification), no copies are required to be furnished by Applicants under 37 C.F.R. § 1.98(d).

It is respectfully requested that the listed references and below-referenced items be expressly considered during the prosecution of this application, that the Examiner initial each listed reference and below-referenced item to evidence its consideration, and that the references and below-referenced items be made of record therein and appear among the "References Cited" section on any patent to issue therefrom.

Applicants also direct the Office's attention to the following related pending applications: U.S. Reissue Application No. 09/577,798 entitled Method of Delivery, Targeting, and Measuring Advertising over Networks, filed May 24, 2000, U.S. Application No. 09/094,949 entitled Method and Apparatus for Automatic Placement of Advertising, filed June 15, 1998, U.S. Application No. 10/082,069 entitled Network for Distribution of Re-Targeted Advertising, filed February 26, 2002, U.S. Application No. 10/254,923 entitled Method of Delivery, Targeting, and Measuring Advertising over Networks, filed on September 26, 2002, U.S. Application No. 10/798,340 entitled Method of Delivery, Targeting, and Measuring Advertising over Networks, filed on March 12, 2004, U.S. Application No. 10/798,444 entitled Method of Delivery, Targeting, and Measuring Advertising over Networks, filed on March 12, 2004, and U.S. Application No. 10/937,341 entitled Method of Delivery, Targeting, and Measuring Advertising over Networks, filed on September 10, 2004.

Applicants disclose for the Office's review, as discussed below, documents relating to a litigation (*DoubleClick, Inc. v. L90, Inc.*, 00 Civ. 2690, S.D.N.Y.) involving U.S. Patent No. 5,948,061 (the '061 patent), on which the above-mentioned reissue application is based. (DoubleClick brought suit against Sabela in a related action (*DoubleClick, Inc. v. Sabela Media, Inc.*, 99 Civ. 11718 (DLC), S.D.N.Y.) that was consolidated into the L90 action). The present application is a divisional of U.S. Patent Application No. 10/254,923, filed on September 26, 2002, temporarily held abandoned (awaiting decision on petition to withdraw holding of abandonment), which is a continuation of U.S. Patent Application No. 09/293,463, filed on April 15, 1999, now abandoned, which is a continuation of U.S. Application No. 08/738,634 (the '634 application), which issued into the '061 patent. DoubleClick, Inc., plaintiff in the above-referenced litigation, is the assignee of record of the '061 patent, the '634 application, the reissue application, the present application, and all above-mentioned related applications. Although the infringement and invalidity portions of the litigation had been stayed pending the outcome of the reissue application, the litigation moved forward on the sole issue of alleged inequitable conduct before settling on November 29, 2000.

In an effort to alleviate the Office's burden of reviewing the litigation documents, Applicants have set forth below the general issues that surfaced in the litigation, and offer some direction through the disclosed documents. As a side note, Applicants have disclosed the

documents that seem useful for the Office to assess the patentability of the present invention. If the Office wishes to obtain and review additional litigation documents for that purpose, the Office is invited to make that request of Applicants.

The following general issues surfaced in the litigation:

1. Whether an offer to sell or commercial sale of the invention of the '061 patent to a company named Attachmate occurred more than one year before the filing date of the '634 application under 35 U.S.C. § 102(b);
2. Whether the SmartBanner ad serving technology of a company named FocaLink constituted a public use or publication of the invention of the '061 patent more than one year prior to the filing date of the '634 application under 35 U.S.C. § 102(b); and
3. Whether a public use of the invention of the '061 patent between the inventors and a company named ISS occurred more than one year before the filing date of the '634 application under 35 U.S.C. § 102(b).

Attached to this statement as Exhibits 1 and 2 are copies of the 37 C.F.R. § 1.132 declarations of inventors Dwight Merriman and Kevin O'Connor which were filed on April 4, 2001 in the reissue application. In addition to the litigation documents listed in the Appendix, the following pre-trial motions and orders from the litigation have been disclosed to the Office:

- Plaintiff DoubleClick's Pre-Trial Memorandum of Law
 - Defendant L90's Opposition to Plaintiff DoubleClick's Pre-Trial Memorandum of Law
- Defendant L90's Pretrial Memorandum of Law
 - Plaintiff DoubleClick's Memorandum of Law Submitted in Response to Defendant L90's Pre-Trial Memorandum of Law
- Plaintiff DoubleClick's Proposed Findings of Fact and Conclusions of Law
- Defendant L90's Proposed Findings of Fact and Conclusions of Law
- Joint Pretrial Order
- Stipulations of Dismissal (L90 and Sabela)

In the litigation, Plaintiff submitted 30 trial exhibits and Defendant submitted 312 trial exhibits. To minimize the Office's burden, Applicants have furnished the subset of trial exhibits that are referenced in the disclosed pre-trial motions and orders. These exhibits include:

- Plaintiff's Exhibits: 8, 11, 13, 14, 16, 23, 29, 30
- Defendant's Exhibits: 2, 4, 5, 6, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 29, 30, 31, 32, 35, 36, 37, 38, 39, 40, 41, 44, 45, 48, 49, 50, 56, 57, 58, 59, 61, 63, 64, 66, 67, 68, 69, 70, 71, 76, 77, 80, 89, 90, 91, 93, 96, 97, 98, 99, 101, 106, 111, 113, 114, 115, 118, 193, 194, 215, 216, 217, 223, 226, 231, 248, 296, 298, 301, 310, 311, 312

Of the 17 deposition transcripts and 11 trial declarations from the litigation, the following deposition transcripts and trial declarations have been disclosed to the Patent Office:

| Name | Context |
|-------------------------------|--|
| DEPOSITION TRANSCRIPTS | |
| Dwight Merriman | co-inventor of the '634 application |
| Kevin O'Connor | co-inventor of the '634 application |
| Chris Buckingham | Attachmate executive (relates to issue no. 1) |
| Thomas Noonan | Principal of ISS (relates to issue no. 3) |
| Ron Kovas | CEO of FocaLink (relates to issue no. 2) |
| David Zinman | Founder of FocaLink (relates to issue no. 2) |
| Christian Knott | DoubleClick's technical expert |
| Hari Balakrishnan | L90's technical expert |
| Thomas E. Wharton | CTO of Poppe Tyson (requested by Examiner in appl'n 10/254,923) |
| TRIAL DECLARATIONS | |
| Dwight Merriman | Direct (Trial) Testimony |
| Kevin O'Connor | Direct (Trial) Testimony |
| Christian Knott | Expert Report |
| Hari Balakrishnan | Expert Report |
| Hari Balakrishnan | Direct Trial Testimony |


As this statement is being filed after the period specified in 37 C.F.R. § 1.97(b), but before the mailing of an action that closes prosecution in the application, the Office is authorized to charge the 37 C.F.R. § 1.17(p) fee of \$180.00 to Deposit Account No. 11-0600. A copy of this page is provided for this purpose.

Although not believed necessary, the Office is hereby authorized to charge any additional fees required under 37 C.F.R. § 1.16 or § 1.17 or credit any overpayments to Deposit Account No. 11-0600.

The Examiner is invited to contact the undersigned at 202-220-4200 to discuss any matter regarding this application.

Respectfully submitted,

Dated: January 13, 2005


Bradley J. Meier
(Reg. No. 44,236)

KENYON & KENYON
1500 K Street, N.W., Suite 700
Washington, D.C. 20005
(202) 220 - 4200 (telephone)
(202) 220 - 4201 (facsimile)

APPENDIX

SUMMONS IN A CIVIL CASE, DoubleClick Inc. v. L90, Inc., Case Number 2:99-1914,
District of Virginia;

COMPLAINT FOR PATENT INFRINGEMENT, DoubleClick Inc. v. L90, Inc., Case
Number 2:99-1914, District of Virginia, dated November 12, 1999;

SUMMONS IN A CIVIL CASE, DoubleClick Inc. v. Sabela Media, Inc., 99 CIV. 1178,
Southern District of New York;

COMPLAINT AND JURY DEMAND, DoubleClick Inc. v. Sabela media, Inc., 99 CIV.
1178, Southern District of New York, dated December 3, 1999;

ANSWER AND COUNTERCLAIM OF DEFENDANT L90, INC.; dated January 4,
2000;

DEFENDANT L90, INC.'S ANSWERS TO PLAINTIFF'S FIRST SET OF
INTERROGATORIES, dated January 18, 2000;

PLAINTIFF DOUBLECLICK'S RESPONSE TO DEFENDANT L90'S ANSWER AND
COUNTERCLAIM, dated January 18, 2000;

PLAINTIFF DOUBLECLICK, INC.'S OBJECTIONS AND RESPONSES TO
DEFENDANT L90, INC.'S FIRST SET OF INTERROGATORIES (1-21), dated January 24,
2000, with Exhibits A and B;

PLAINTIFF DOUBLECLICK, INC.'S RESPONSES AND OBJECTIONS TO
DEFENDANT L90'S FIRST REQUEST FOR PRODUCTION OF DOCUMENTS, dated
January 24, 2000;

ANSWER AND COUNTERCLAIM OF SABELA MEDIA, INC., dated January 28, 2000;

SABELA'S OBJECTIONS AND RESPONSES TO DOUBLECLICK'S FIRST SET OF INTERROGATORIES TO DEFENDANT, dated February 1, 2000;

DEFENDANT L90, INC.'S SUPPLEMENTAL RESPONSES TO PLAINTIFF'S FIRST SET OF INTERROGATORIES, dated February 9, 2000;

PLAINTIFF DOUBLECLICK INC.'S RESPONSES TO DEFENDANT SABELA INC.'S FIRST SET OF INTERROGATORIES, dated March 2, 2000;

PLAINTIFF DOUBLECLICK'S RESPONSES AND OBJECTIONS TO SABELA'S FIRST REQUEST FOR DOCUMENTS AND THINGS, dated March 2, 2000;

PLAINTIFF DOUBLECLICK INC.'S CLAIM CHART, dated March 17, 2000;

SABELA'S CLAIM CONSTRUCTION CHART, dated April 14, 2000;

FIRST AMENDED ANSWER AND COUNTERCLAIM OF DEFENDANT L90, INC., dated May 12, 2000;

DEFENDANT L90 INC.'S CLAIM CONSTRUCTION CHART, dated May 12, 2000;

AMENDED ANSWER AND COUNTERCLAIMS OF SABELA MEDIA, INC., dated May 17, 2000;

NOTICE OF MOTION TO STAY PENDING REISSUE PROCEEDINGS BEFORE THE U.S. PATENT AND TRADEMARK OFFICE, dated May 26, 2000, with accompanying DECLARATION OF CHARLES L. KERR IN SUPPORT OF PLAINTIFF DOUBLECLICK INC.'S MOTION TO STAY PENDING REISSUE PROCEEDINGS BEFORE THE U.S. PATENT OFFICE, date May 26, 2000, with Exhibits A-C;

MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF DOUBLECLICK INC.'S MOTION TO STAY PENDING REISSUE PROCEEDINGS BEFORE THE U.S. PATENT AND TRADEMARK OFFICE, dated May 26, 2000;

DECLARATION OF JOHN M. CALLAGHAN IN SUPPORT OF DEFENDANT L90'S MOTION TO STAY, dated June 10, 2000, with Exhibits A-H attached;

DEFENDANT L90, INC.'S OPPOSITION TO PLAINTIFF DOUBLECLICK INC.'S MOTION TO STAY PENDING PROCEEDINGS BEFORE THE U.S. PATENT AND TRADEMARK OFFICE, dated June 12, 2000, with Exhibits A-D;

MEMORANDUM IN PARTIAL OPPOSITION TO PLAINTIFF'S MOTION TO STAY PENDING REISSUE PROCEEDINGS BEFORE THE U.S. PATENT AND TRADEMARK OFFICE, dated June 12, 2000;

DECLARATION OF JAMES S. BLANK, date June 12, 2000, with Exhibits 1-12;

PLAINTIFF DOUBLECLICK'S RESPONSE TO DEFENDANT L90'S FIRST AMENDED ANSWER AND COUNTERCLAIM, dated June 15, 2000;

PLAINTIFF DOUBLECLICK'S RESPONSE TO DEFENDANT SABELA MEDIA
INC.'S FIRST AMENDED ANSWER AND COUNTERCLAIM, dated June 15, 2000;

REPLY MEMORANDUM OF LAW IN FURTHER SUPPORT OF PLAINTIFF
DOUBLECLICK INC.'S MOTION TO STAY PENDING REISSUE PROCEEDINGS
BEFORE THE U.S. PATENT AND TRADEMARK OFFICE, dated June 19, 2000;

ORDER of Judge Cote, Southern District of New York, granting a partial stay pending
completion of reissuance proceedings, dated July 24, 2000.



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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 18

Complete if Known

| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

U.S. PATENT DOCUMENTS

| Examiner Initials * | Cite No. | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|---------------------|----------|----------------------|-----------------------------------|---|--|---|
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Examiner
Signature

Date
Considered

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Sheet 2 of 18**Complete if Known**

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| Application Number | 10/798,342 |
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| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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SignatureDate
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| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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Examiner
SignatureDate
Considered

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Sheet 4 of 18

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| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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Date

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**INFORMATION DISCLOSURE
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Sheet 5 of 18

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| First Named Inventor | Dwight Allen MERRIMAN |
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| Examiner Name | Laneau, Ronald |
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Sheet 6 of 18

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| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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| Sheet | 7 | of | 18 | Application Number | 10/798,342 |
| | | | | Filing Date | 12 March 2004 |
| | | | | First named Inventor | Dwight Allen MERRIMAN |
| | | | | Group Art Unit | 3627 |
| | | | | Examiner Name | Laneau, Ronald |
| | | | | Attorney Docket Number | 11032-3067 |

| OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials * | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
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| | "Web Site Links..."; Electronic Marketplace Report, No. 16, Vol. 9; August 22, 1995; SD005611-SD005613 | |
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| | "Major Companies, Ad Agencies..."; Business Wire; February 5, 1996; SD005616-SD005617 | |
| | "First Advertising Server Launched..."; Business Wire; February 5, 1996; SD005618-SD005619 | |
| | "INTERACTIVE; FOCALINK AND DOUBLECLICK..."; Kim Cleland; Advertising Age, Pg. 30; February 5, 1996; SD005620-SD005621 | |
| | "First Advertising Server Launched..."; Business Wire; February 5, 1996; SD005622-SD005623 | |
| | "Major Companies, Ad Agencies..."; Business Wire; February 5, 1996; SD005624-SD005625 | |
| | Web Personals Report; October 12, 1995; Z00001-Z00009 / SD027072-SD027080 | |
| | FocaLink Technology; August 30, 1995; Z00010-Z00011 / SD027081-SD027082 | |
| | Web Personals stats; August 22, 1995; Z00012-Z00013 / SD027083-SD027084 | |
| | For Immediate Release; Hyperlink Advertising Explodes on the World Wide Web; http://link.w3.com; Z00014 / SD027085 | |
| | Interactive Age; The Newspaper for Electronic Commerce; Z00015-Z00019 / SD027086-SD027090 | |
| | Link Marketing, LLP; Z00020-Z00021 / SD027091-SD027092 | |
| | Link Marketing; Z00022-Z00027 / SD027093-SD027098 | |
| | LinkMarket; David Zinman et al.; Z00028-Z00030 / SD027099-SD027101 | |
| | LinkMarket; David Zinman et al.; Z00031-Z00032 / SD027102-SD027103 | |
| | LinkMarket; David Zinman et al.; Z00033-Z00056 / SD027104-SD027127 | |

Examiner
Signature

Date
Considered

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Modified PTO/SB/08A (08-00)

Approved for use through 10/31/2002. OMB 0851-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/APTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 12 of 18

Complete if Known

| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

| | | | |
|--|--|--|--|
| | | FocaLink Media Services, Inc.; David Zinman et al.; August 2, 1995; Z00057-Z00070 / SD027128-SD027141 | |
| | | Saturn Banner Ad Placement; August 25, 1995; Z00071 / SD027142 | |
| | | SPONSORABLE SITE - RIDDLE DU JOUR; August 26, 1995; Z00072-Z00074 / SD027143-SD027145 | |
| | | Saturn Banner Ad Placement; August 27, 1995; Z00075 / SD027146 | |
| | | FocaLink Technology; August 30, 1995; Z00076-Z00077 / SD027147-SD027148 | |
| | | Question for you; September 7, 1995; Z00078-Z00079 / SD027149-SD027150 | |
| | | Information Request; September 12, 1995; Z00080 / SD027151 | |
| | | Update and Miscellaneous; September 22, 1995; Z00081-Z00083 / SD027152-SD027154 | |
| | | FocaLink: request for ISN ad traffic data (fwd); September 26, 1995; Z00084-Z00085 / SD027155-SD027156 | |
| | | Saturn Ad Placements; September 28, 1995; David Zinman; Z00086 / SD027157 | |
| | | RE> Saturn Ad Placements; September 29, 1995; Adam@utne.co; Z00087 / SD027158 | |
| | | RE: Advertising Update; October 3, 1995; Eric Ver Ploeg; Z00088-Z00089 / SD027159-SD027160 | |
| | | RE>>Saturn Ad Placements; September 29, 1995; wigley@utne.com; Z00090 / SD027161 | |
| | | Re: Test Parameters (fwd); October 23, 1995; Jason Strober; Z00091-Z00092 / SD027162-SD027163 | |
| | | Re: Rest Parameters; October 23, 1995; Jason Strober; Z00093-Z00094 / SD027164-SD027165 | |
| | | Proposal (fwd); October 23, 1995; Jason Strober; Z00095-Z00096 / SD027166-SD027167 | |
| | | Advertising advisory board; October 25, 1995; David Zinman; Z00097-Z00099 / SD027168-SD027170 | |

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Signature

Date

Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 13 of 18

Complete if Known

| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Name Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

| | | |
|--|---|--|
| | Contact at Netcom; October 26, 1995; David Zinman; Z00100 / SD027171 | |
| | CMP Technical Contact; October 30, 1995; Jason Strober; Z00104 / SD027172 | |
| | from ad age today...; October 30, 1995; Karen Johnson; Z00105-Z00106 / SD027173-SD027174 | |
| | We need to get on this; October 31, 1995; David Zinman; Z00107 / SD027175 | |
| | Web site pricing draft; November 7, 1995; Jason Strober; Z00108 / SD027176 | |
| | Heads up... (fwd); November 8, 1995; David Zinman; Z00109-Z00110 / SD027177-SD027178 | |
| | Proposal to Intel; November 13, 1995; Jason Strober; Z00111-Z00114 / SD027179-SD027182 | |
| | FocaLink white paper; November 13, 1995; Jason Strober; Z00115-Z00116 / SD027183-SD027184 | |
| | FocaLink Media Services; November 14, 1995; David Zinman; Z00117-Z00119 / SD027185-SD027187 | |
| | I/Traffic & Dave Carlick; November 14, 1995; David Zinman; Z00120 / SD027188 | |
| | FocaLink white paper; November 15, 1995; David Zinman; Z00121-Z00123 / SD027189-SD027191 | |
| | Re: FocaLink Meeting (fwd); Nov. 20, 1995; Karen Johnson; Z00124-Z00125 / SD027192-SD027193 | |
| | Microsoft ads through FocaLink; November 21, 1995; Jason Strober; Z00126 / SD027194 | |
| | Re: Who's in and who's out (fwd); Nov. 21, 1995; Jason Strober; Z00127-Z00128 / SD027195-SD027196 | |
| | Intel update (fwd); Nov. 23, 1995; Jason Strober; Z00129-Z00130 / SD027197-SD027198 | |
| | Saturn reports; Dec. 5, 1995; Jennifer Ratner; Z00134-Z00140 / SD027199-SD027205 | |
| | November Report; Dec. 5, 1995; Jennifer Ratner; Z00141-Z00146 / SD027206-SD027211 | |

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Signature

Date
Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 14 of 18

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| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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|--|--|---|--|
| | | FocaLink Media Services; Dec. 6, 1995; David Zinman; Z00147 / SD027212 | |
| | | FocaLink Media Services; Dec. 6, 1995; David Zinman; Z00148 / SD027213 | |
| | | FocaLink Media Services; December 6, 1995; David Zinman; Z00149 / SD027214 | |
| | | FocaLink for the Layman; December 6, 1995; David Zinman; Z00150 / SD027215 | |
| | | Microtargeting; December 7, 1995; David Zinman; Z00151 / SD027216 | |
| | | Info on FocaLink Media Services; December 11, 1995; David Zinman; Z00152-Z00154 / SD027217-SD027219 | |
| | | FocaLink Media Services; December 11, 1995; David Zinman; Z00155-Z00156 / SD027220-SD027221 | |
| | | Catch-up time; December 11, 1995; David Zinman; Z00157 / SD027222 | |
| | | Info on FocaLink; December 13, 1995; David Zinman; Z00158-Z00160 / SD027223-SD027225 | |
| | | Intel Ad on Dilbert Site; December 13, 1995; David Zinman; Z00161 / SD027226 | |
| | | Re: Intel Ad on Dilbert Site; December 13, 1995; David Zinman; Z00162 / SD027227 | |
| | | FocaLink Beta Test on SmartBanner; Dec. 14, 1995; David Zinman; Z00163 / SD027228 | |
| | | I/Pro Mtg Today; December 19, 1995; David Zinman; Z00164 / SD027229 | |
| | | Eric Smith Quote (fwd); January 10, 1996; David Zinman; Z00165 / SD027230 | |
| | | FocaLink Communications, Inc.; January 10, 1996; David Zinman; Z00166 / SD027231 | |
| | | Re: Advertisers for wyp.net; January 12, 1996; David Zinman; Z00167 / SD027232 | |
| | | Quote for Press Release; January 15, 1996; David Zinman; Z00168 / SD027233 | |

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Date

Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

| | | | |
|--|--|--|--|
| | | Re: Quote for Press Release; January 16, 1996; "thomas mark"; Z00169 / SD027234 | |
| | | Re: Quote for Press Release (fwd); January 16, 1996; David Zinman; Z00170-Z00171 / SD027235-SD027236 | |
| | | RE> **Ad Placement Notific; January 19, 1996; Dan_Stoller@anlsf.com; Z00172-Z00173 / SD027237-SD027238 | |
| | | Invitation; January 25, 1996; wilkins@eit.com; Z00174 / SD027239 | |
| | | Focalink; January 25, 1996; David Zinman; Z00175 / SD027240 | |
| | | SmartBanner Reports; January 25, 1996; David Zinman; Z00176 / SD027241 | |
| | | RE: Focalink; January 26, 1996; Rick Vorhaus; Z00177 / SD027242 | |
| | | Comments; January 29, 1996; David Zinman; Z00178-Z00182 / SD027243-SD027247 | |
| | | Poppe Tyson/Internet Advertising Network Alliance; February 26, 1996; Ron Kovas; Z00183 / SD027248 | |
| | | fyi; February 5, 1996; "Roger Follis"; Z00184-Z00185 / SD027249-SD027250 | |
| | | Focalink Communications; February 5, 1996; David Zinman; Z00186-Z00188 / SD027251-SD027253 | |
| | | Microsoft Update; February 5, 1996; Margaret Bond; Z00189 / SD027254 | |
| | | Focalink Communications; February 6, 1996; David Zinman; Z00190-Z00192 / SD027255-SD027257 | |
| | | Focalink Communications; February 6, 1996; David Zinman; Z00193-Z00195 / SD027258-SD027260 | |
| | | Focalink Communications; February 6, 1996; David Zinman; Z00196-Z00198 / SD027261-SD027263 | |
| | | [Fwd: Re: DoubleClick and IAN]; February 6, 1996; Jason Strober; Z00199 / SD027264 | |
| | | Focalink Communications; February 6, 1996; David Zinman; Z00200-Z00202 / SD027265-SD027267 | |

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Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 16 of 18

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| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

| | | |
|--|---|--|
| | Test With Focalink; February 7, 1996; David Zinman; Z00203 / SD027268 | |
| | Urgent – Microsoft Ad Placement; February 7, 1996; David Zinman; Z00204 / SD027269 | |
| | Test for Microsoft Banner; February 8, 1996; Joel Bassuk; Z00205 / SD027270 | |
| | ZDNet Test; Margaret Bond; February 8, 1996; Z00206 / SD027271 | |
| | URLs; February 8, 1996; Dan Stoller; Z00207-Z00208 / SD027272-SD027273 | |
| | HeadsUp 02-09-96 (20 stories)<CD58M010>; February 9, 1996; An Information Service of Individual Inc.; Z00209-Z00212 / SD027274-SD027277 | |
| | Focalink Communications; February 13, 1996; David Zinman; Z00213 / SD027278 | |
| | Targeting; February 13, 1996; Michael Wang; Z00214 / SD027279 | |
| | Re: Cookies!; February 15, 1996; David Zinman; Z00215 / SD027280 | |
| | Focalink; February 22, 1996; Jason Strober; Z00216 / SD027281 | |
| | Focalink/Microsoft I.E.; February 23, 1996; Margee Bond; Z00217-Z00218 / SD027282-SD027283 | |
| | Cookies; March 6, 1996; David Zinman; Z00219 / SD027284 | |
| | Did I send this 2x; April 3, 1996; Z00220-Z00222 / SD027285-SD027287 | |
| | Answer to your request; April 8, 1996; Z00223 / SD027288 | |
| | Site Letter; April 10, 1996; Z00224-Z00225 / SD027289-SD027290 | |
| | Oracle and Intel; April 12, 1996; Z00226 / SD027291 | |
| | DoubleClick; April 16, 1996; Z00227 / SD027292 | |

Examiner
Signature

Date
Considered

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 17 of 18

Complete if Known

| | |
|------------------------|-----------------------|
| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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|--|--|---|--|
| | | Open Market Licenses With NetGravity; May 6, 1996; Z00228 / SD027293 | |
| | | Fact check; May 12, 1996; Z00229 / SD027294 | |
| | | IDG; May 17, 1996; Z00230-Z00231 / SD027295-SD027296 | |
| | | Daily Spectrum; May 20, 1996; Z00232-Z00242 / SD027297-SD027307 | |
| | | Fact check; May 20, 1996; Z00243 / SD027308 | |
| | | Cookie FAQ; May 21, 1996; Z00244 / SD027309 | |
| | | Focalink Communications; May 21, 1996; Z00245-Z00246 / SD027310-SD027311 | |
| | | Network World Fusion; May 22, 1996; Z00247 / SD027312 | |
| | | Looming issue; July 13, 1996; Z00248-Z00249 / SD027313-SD027314 | |
| | | Cookies & privacy ? / Geman Press; July 15, 1996; Z00250 / SD027315 | |
| | | Cookies & privacy ? / Geman Press; July 16, 1996; Z00251 / SD027316 | |
| | | DoubleClick; September 5, 1996; Z00252-Z00253 / SD027317-SD027318 | |
| | | Infoseek Business Terms; September 7, 1996; Z00254-Z00256 / SD027319-SD027321 | |
| | | SmartBanner ads on HotWired; September 11, 1996; Z00257 / SD027322 | |
| | | Statement of Work; September 23, 1996; Z00258-Z00259 / SD027323-SD027324 | |
| | | NetGravity Releases Adserver 2.0, October 21, 1996; Z00260-Z00263 / SD027325-SD027328 | |
| | | "FOCALINK"; DC004278A | |

Examiner
Signature

Date

Considered

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Sheet 18 of 18

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| Application Number | 10/798,342 |
| Filing Date | 12 March 2004 |
| First Named Inventor | Dwight Allen MERRIMAN |
| Group Art Unit | 3627 |
| Examiner Name | Laneau, Ronald |
| Attorney Docket Number | 11032-3067 |

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|--|--|---|--|
| | | "Focalink Services"; Focalink Media Services, Inc.; DC004278B-DC004278C | |
| | | "Welcome to Focalink!"; FOCALINK COMMUNICATIONS; DC004278D-DC004278CC | |
| | | "Welcome to Focalink!"; FOCALINK COMMUNICATIONS; DC004278DD-DC004278XX | |
| | | "Link Marketing"; handwritten page; MA0001 | |
| | | "Link Marketing"; LinkMarket; MA0002-MA0007 | |
| | | "LinkMarket"; David Zinman et al.; MA0008-MA0027 | |
| | | "Link Marketing, LLP"; MA0028-MA0029 | |
| | | "Link Marketing LLP"; MA0030-MA0038 | |
| | | "Escapes"; Web page; MA0039-MA0040 | |
| | | "Industry Overview"; Focalink Media Services, Inc.; MA0041-MA0053 | |
| | | "Executive Summary"; Focalink Communications Confidential; printed 7/30/97; MA0054-MA0109 | |
| | | "FOCALINK COMMUNICATIONS"; February 1996; MA0110-MA0149 | |

Examiner
Signature

/Ronald Laneau/

Date

Considered

02/25/2008

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